

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE IDAHO STATE DEPARTMENT OF AGRICULTURE  
AND \_\_\_\_\_ COUNTY  
REGARDING THE CONTROL  
OF PESTS ON ABANDONED ORCHARDS**

This Memorandum of Understanding (“MOU”) is entered into by and between \_\_\_\_\_ County, Idaho, [address of each county] hereinafter referred to as “County,” and the Idaho State Department of Agriculture (“ISDA”), 2270 Old Penitentiary Rd., Boise, ID 83712. This MOU governs the duties and responsibilities of the County and the ISDA with respect to the administration and handling of funds appropriated by the legislature, pursuant to the Idaho Plant Pest Act of 2002, Section 22-2010(2), 2019, Idaho Code, and the laws governing the extermination of wild animals and pests in counties, Section 25-2610, Idaho Code.

The County agrees:

1. To enact an Abandoned Orchards Ordinance and Operating Procedures, such as those contained in Attachments “A” and “B;”
2. To contract for services to control , as defined in 22-2005(10), Idaho Code, by abatement, suppression, containment or eradication, pests, as defined in 22-2005(40), Idaho Code. as authorized by Sections 22-2010(2) and 25-2610, Idaho Code;
3. To request approval in writing from ISDA before signing any contract for services to control pests or diseases as authorized by Section 22-2010(2), Idaho Code; and simultaneously, to certify in writing to ISDA that the cost of any control action taken against any person, as defined in Section 22-2005(39), Idaho Code, will be added by the County to the general taxes assessed against the property of the person against whom the control action was taken as authorized by Section 22-2010(2) and 22-2010(3), Idaho Code;
4. To submit to ISDA, within thirty (30) days of expenditure, an invoice of expenses incurred during the control of pests as authorized by Section 22-2010(1), Idaho Code;
5. To provide ISDA’s designated representative a copy of all correspondence to any person concerning control action as authorized by Section 22-2010, Idaho Code.
6. To return to ISDA any funds collected from the property owner through a property tax assessment as listed in item three above.

ISDA agrees:

1. To designate a representative to serve as liaison between ISDA and the County Orchard Review Board;
2. To serve notification of the need to control as required by Section 22-2010(1), Idaho Code, upon receipt of any enforcement correspondence initiated by the County;
3. To reimburse the County from funds appropriated by the legislature or obtained, pursuant to Section 22-2019, Idaho Code, for enforcement actions against any person, and only after the County’s duties and responsibilities have been carried out as specified above.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_.

by \_\_\_\_\_  
Director, Idaho State Department of Agriculture

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_.

by \_\_\_\_\_  
Chairperson, Board of County Commissioners